IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18568 of 2004

Between:

U. Bangara Rao, S/o Late U. Venkanna,
R/o H.No. 4-50, Shanthinagar, Vanasthalipuram, Hyderabad -70.

..... PETITIONER

AND

1 The Chairman & Managing Director, A.P. GENCO, Vidhyuth Soudha, Khairathabad, Hyderabad -49.
2 The Executive Engineer, Civil Maintenance Division, Lower Sileru Project, Mothugudem, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the first respondent in not considering the representation dated 29-4-1989 for the post of Technical Assistant or any other suitable post in spite of reminded representations dated 22-4-1993, 15-8-1993, 8-2-1994, 1-10-1994, 18-9-1995, 3-2-1996, 9-10-1996, 12-3-1997, 2-2-1998, 8-11-1998, 12-9-1999, 13-3-2000, 24-10-2000, 1-8-2001 and 1-7-2004 including Legal Notice dated 26-8-2004 in pursuance to the assurance given by the first Respondent vide proceedings Lr.No. DM.I./RS(A)/206/89, dated 21-7-1989 is illegal arbitrary and violative of Article 14 and 16 of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for the post of Technical Assistant or any other suitable post.

Counsel for the Petitioner:MR.J.M.NAIDU

Counsel for the Respondent No.: MR.S.RAVINDRANATH

The Court at the stage of admission made the following :

ORDER:

The petitioner claims that he worked under the respondent-Corporation during 1986-87 as a Technical Assistant on semi scale. Subsequently, he was not continued in service. The petitioner made several representations to the respondent to absorb him in the post of Technical Assistant or any other suitable post. To one of the representations made by him in 1989, the respondent gave a reply on 21-07-1989, which reads as follows:

> "With reference to your letter cited, you are informed that your case will be examined for appointment to any suitable post in Board when recruitment is contemplated to such a post and if your name is sponsored by the employment exchange against specific requirement of the Board."

The petitioner made several other representations, the latest being the representation dated 01-07-2004 and a legal notice to the first respondent dated 26-08-2004. The grievance of the petitioner is that though there are number of vacancies, the respondents are not considering his candidature for absorption into any one of those posts. Therefore, he approached through this Writ Petition seeking a direction to the respondents to consider the representation of the petitioner dated 29-04-1989 and subsequent representations regarding his request for appointment as a Technical Assistant or any other post.

In the light of the submissions made by the petitioner, the first respondent is directed to consider the representations of the petitioner and pass appropriate orders, as per the existing rules, within two months from the date of receipt of a copy of this order and communicate the same to the petitioner.

The writ petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt:12th October, 2004.

Rns.

To

1 The Chairman & Managing Director, A.P. GENCO,

Vidhyuth Soudha,
Khairathabad, Hyderabad -49.

2 The Executive Engineer, Civil Maintenance Division,
Lower Sileru Project, Mothugudem, Khammam District.

3 Two CD copies.